

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

_____)	
RALPH BEGLEITER,)	
)	
Plaintiff,)	
)	
v.)	Case No. 1:04-cv-01697 (EGS)
)	
DEPARTMENT OF DEFENSE)	
and)	
DEPARTMENT OF THE AIR FORCE,)	
)	
Defendants.)	
_____)	

PLAINTIFF'S STATUS REPORT

This case is currently stayed pursuant to the Court's Order of December 28, 2004. Plaintiff Ralph Begleiter hereby informs the Court of the status of his administrative appeal and his intentions with respect to this litigation.

Plaintiff filed an administrative appeal of the constructive denial of his FOIA requests on December 23, 2004. In response, the FOIA management office supporting the Air Mobility Command referred the underlying requests to several additional offices within the Department of Defense to search for responsive documents beyond the 361 images previously produced. Those offices have communicated with Plaintiff several times since, but have provided neither a substantive response to his requests nor other information sufficient to satisfy them.

Specifically: On January 19, 2005, Plaintiff received a letter from the headquarters of the U.S. Air Forces in Europe, stating without explanation that "additional time is required to properly examine the documents [Plaintiff] requested."

On January 28, 2008, Plaintiff received a letter informing him that his request had been referred to the Office of Public Affairs, Department of the Army. On February 10, 2005, Plaintiff received a “no records” determination from certain Defendant components, informing him that “the Air Force Chaplains Office at Arlington National Cemetery and the Secretary [of the] Air Force Office of Public Affair[s] conducted an appropriate search for records responsive to your request, but none were found.” In the past thirty days – since the filing by Plaintiff and Defendants of a Joint Status Report – Plaintiff has received two more communications, neither of which provides a substantive response. On March 24, 2005, Plaintiff received an inconclusive facsimile from the Department of the Army. On the same day, Plaintiff’s counsel was informed by Defendants’ counsel that Defendants expected to have a “complete response” by April 8, 2005.

In view of the insufficiency of these responses under FOIA, Plaintiff intends shortly to request that the Court lift the stay in the instant case. Thereafter, Plaintiff intends to file a motion for summary judgment on his claims.

Dated: March 25, 2005

Respectfully submitted,

/s/

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 25th day of March, 2005, a true and correct copy of the foregoing has been served by this Court's Electronic Case Filing System on the following:

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_____/s/_____
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